THE HON'BLE MR JUSTICE B.PRAKASH RAO

And

THE HON'BLE MR JUSTICE D.APPA RAO

WRIT APPEAL NO.189 of 2006

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27th February 2006

(Writ Appeal under Clause 15 of the Letters Patent against the Order dated 16.02.2006 in W.P.NO.2938 OF 2006 on the file of the High Court.)

Between:

K. Ramachandra Rao S/o Satyanarayana Murthy Hindu, 56 years,
HLRO, Hindustan Petroleum Corporation Ltd., Cherlapalli, Hyderabad.

...APPELLANT

AND

1. The Senior Regional Manager, Hindustan Petroleum Corporation Ltd., HLRO, Cherlapalli, Hyderabad.

And two others.

...RESPONDENTS

THE HON'BLE MR JUSTICE B.PRAKASH RAO

And

THE HON'BLE MR JUSTICE D.APPA RAO

WRIT APPEAL NO.189 OF 2006

JUDGMENT: (Per the Hon'ble Mr Justice B.Prakash Rao)

Heard both the sides.

At their request, the Writ Appeal itself is taken up for disposal at the admission stage.

The unsuccessful writ petitioner is the appellant who seeks to assail the order dated 16.02.2006 in the Writ Petition being W.P.No.2938 of 2006, which was filed seeking Mandamus against the order of his transfer. The learned Single Judge observed that the transfer is an incidence of service and the same cannot be interfered with. However, he gave a direction to the respondents to consider the representation filed by the appellant on 10.10.2005, wherein the appellant sought reconsideration of his transfer on the ground of ill health and the same is still pending consideration.

Having heard on either side and on perusal of the material available on record, we are in entire agreement with the finding of the learned Single Judge. However, having regard to the fact that the representation of the appellant is still pending consideration, it would suffice in the interest of justice to direct the respondents to consider the representation as expeditiously as possible and pass orders in accordance with law. It is needless to mention that till the disposal thereof, the appellant need not be disturbed from the place of his working.

Subject to the above, the appeal is disposed of. No costs.

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(B.PRAKASH RAO, J)

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(D.APPA RAO, J)

27th February 2006

RRB